

REMARKS/ARGUMENTS

Claims 1-17 were pending in the present application. The present response amends claims 1, 5, 7, and 8, and cancels claims 9-17, leaving pending in the application claims 1-8. Reconsideration of the rejected claims is respectfully requested.

I. Restriction of the Claims

In the Office Action, the Examiner withdrew newly added claims 9-17 from consideration. Although applicants disagree with the Examiner's analysis, applicants have cancelled claims 9-17 in order to place this case in condition for allowance.

II. Rejections/Objections

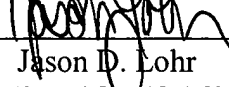
In the Office Action, the Examiner rejected claims 1 to 4 and 7 to 8 under the prior art. The Examiner also indicated that claim 5 would be allowable if rewritten in independent form. Although the applicants disagree with the Examiner's rejections, amendments have been made to independent claims 1 and 7 in order to place the case in condition for allowance. More specifically, claims 1 and 7 were amended to recite subject matter from allowable claim 5, specifically, that the support member include a slot "allowing the support member to be hung from the ear of a user." It is noted that the requirement that the slot be "curved," which is present in claim 5, has not been carried over to claims 1 and 7 as it is believed that the presence and functionality of the slot is more significant and specifying the shape would be unduly narrow.

In view of the above amendments, it is believed that the rejections of claims 1-4 and 7-8 can be withdrawn and that the application is now in condition for allowance and early action is respectfully requested.

Respectfully submitted,

STALLMAN & POLLOCK LLP

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By: 
Jason D. Lohr
Reg. No. 48,163

Attorneys for Applicant(s)